

RESOLUTION NO. 94-116

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A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING THE COMMUNITY IMPROVEMENT
ADMINISTRATIVE FEE SCHEDULE

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RESOLVED, that the Lodi City Council hereby approves the Community Improvement Administrative Fee Schedule, which authorizes City staff to assess fees against individuals who repeatedly refuse to correct nuisances on property within the City limits, as shown on Exhibit A attached hereto.

Dated: October 5, 1994

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I hereby certify that Resolution No. 94-116 was passed and adopted by the Lodi City Council in a regular meeting held October 5, 1994 by the following vote:

Ayes: Council Members - Davenport, Mann, Pennino, Snider
and Sieglock (Mayor)

Noes: Council Members - None

Absent: Council Members - None


Jennifer M. Perrin
City Clerk

COMMUNITY IMPROVEMENT
ADMINISTRATIVE FEE SCHEDULE

<u>DESCRIPTION OF SERVICE</u>	<u>FEE</u>
1. Vehicle abatements by the City, (public and private property, including street) requiring a second compliance inspection.	\$100/vehicle
2. Violations of LMC Chapter 15.30 which continue more than 30 days after notification of the violation. Plus actual cost of abatement if necessary.	\$90/case
3. Violations of LMC Chapter 15.30 where an administrative hearing is held.	\$50/case
4. Appeals of decision of the administrative hearing.	\$50/case
5. Violations of the LMC requiring 1) order of abatement by Planning Commission or City Council, 2) an inspection or seizure warrant, or 3) a posting of an order designating the property as unsafe to occupy.	\$100/case
6. Commencement of civil litigation proceedings.	\$1,000/case
7. Costs of abatement in addition to City staff and associated indirect costs, including but not limited to labor, equipment, private contractor, materials, storage and all other costs reasonably necessary to abate the nuisance.	Actual costs of case
8. Violations Fines - as outlined in LMC Section 15.30.220.	Up to \$500 per violation

NOTE: The single highest applicable fee will be charged to each case.

Violation _____

Violation _____

Violation _____

Violation _____

Violation _____

Investigating Officer: _____ Date: _____

COMMUNITY IMPROVEMENT
ADMINISTRATIVE FEE SCHEDULE
(Explanation of Fees)

1. Vehicle abatements - Community Development has already established this fee (for a second compliance inspection) - \$100

2. Violations of LMC 15.30 (PMO)

- January 10 to June 22 = 24 weeks
- 140 sites inspected = 5.83 sites per week
- Number of inspections/site = 4
- Community Improvement (100 series) = \$18,865 per year
- 4 inspections/site x 303 sites/year = 1,212 inspections per year
- \$18,865/1,212 inspections = 15.57 per inspection

Every complaint involves a minimum of two (2) inspections. A difficult case extending beyond the 30 day period following a Notice of Violation will require six (6) inspections or attempts at communication.

6 inspections x 15.57 per inspection = \$93.42 . . . recommend \$90.

3. Administrative Hearing -

- a) prepare Notice of Hearing - 30 minutes - \$5
- b) phone conversations with property owner to buy more time, complain, etc. - 30 minutes - \$5
- c) actual hearing - 1 hour. Leland Schmiedt and Kirk Evans time
27.26 + 10.00 = \$47.26 . . . recommend \$50

4. Appeals of decision of Administrative Hearing to Planning Commission or City Council. Further communications between Kirk Evans' office and occupant as well as appearance of Leland and Kirk before Planning Commission or City Council - \$50.

5. Violations requiring an order of abatement, inspection warrant or posting of property as unsafe to occupy.

Staff time for positions such as Building Inspector, City Clerk, Assistant to the City Manager average \$25 an hour - salary and benefits. These positions will be responsible for preparing and serving these documents. Any one of these procedures will require at least four person hours to complete. 4 x 25 = \$100.

6. Commencement of civil litigation proceedings.

City Attorney's time - \$47.50/hour.

The City Attorney and his staff can easily exceed over 2 1/2 days devoted to a difficult case requiring litigation.

21 hours x \$47.50 = \$1,000.

7. Actual costs of abatement will be enumerated for each case.

8. Violations Fines are outlined in LMC 15.30.220.

- a) first violation \$100
- b) second violation \$200
- c) third violation \$500